

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

RODGER A. PORTER

Civil No. 06-2143 (JRT/SRN)

Petitioner,

v.

ORDER

R.L. MORRISON, Warden

Respondent.

Rodger A. Porter, #30952-044, Federal Prison Camp, PO Box 1000, Duluth, MN 55814, petitioner *pro se*.

Elizabeth C. Peterson, **OFFICE OF THE UNITED STATES ATTORNEY**, 600 United States Courthouse, 300 South 4th Street, Minneapolis, Minnesota, for respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated September 14, 2006 [Docket No. 8]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Petitioner's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. No. 1) is **DENIED AS MOOT**, in part, in light of the BOP's policy change of assigning prisoners to CCCs without regard to 28 C.F.R. §§ 570.20 and 570.21; and **DENIED**, in part, to the extent that it seeks immediate transfer to a CCC.

2. Petitioner's petition is dismissed.

DATED: October 24, 2006
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge